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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE NEW YORK CITY DISTRICT
COUNCIL OF CARPENTERS PENSION FUND, WELFARE
FUND, ANNUITY FUND, AND APPRENTICESHIP,
JOURNEYMAN RETRAINING, EDUCATIONAL AND
INDUSTRY FUND, TRUSTEES OF THE NEW YORK CITY
CARPENTERS RELIEF AND CHARITY FUND, THE
CARPENTER CONTRACTOR ALLIANCE OF
METROPOLITAN NEW YORK, AND THE NEW YORK
CITY DISTRICT COUNCIL OF CARPENTERS,

Petitioners,

-against-

ARS OFFICE FURNITURE INSTALLERS INC.,

Respondent.

1:21-cv-08779-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

Petitioners filed a Petition to Confirm Arbitration on October 27, 2021. [ECF No. 1]. On November 1, 2021, Petitioners filed an affidavit of service on the docket. [ECF No. 7]. According to that summons, Respondent's response to the petition was due November 19, 2021. [ECF No. 7]. No responses were filed.

Where a respondent fails to answer or respond to a Petition to Confirm an Arbitration Award, entry of default judgments is "generally inappropriate," and the Court must instead consider the "petition and accompanying record . . . as akin to a motion for summary judgment based on the movant's submissions." *D.H. Blair & Co. v. Gottdiener*, 462 F.3d 95, 109 (2d Cir. 2006); *see also Seascope Shipping & Trading, LLC v. Metalex 2000 S.A.*, No. 20-CV-9620 (SHS), 2021 WL 1051596, at *2 (S.D.N.Y. Mar. 19, 2021); *Trustees of New York City Dist. Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, & Apprenticeship*,

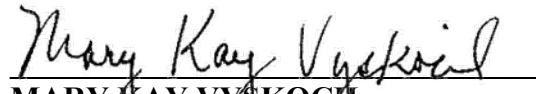
Journeyman Retraining, Educ., & Indus. Fund v. Choice of Colors, Inc., No. 21CV895 (DLC), 2021 WL 4710809, at *2 (S.D.N.Y. Oct. 7, 2021).

IT IS HEREBY ORDERED that Respondent shall file an answer or otherwise respond to the Petition to Confirm Arbitration on or before December 29, 2021. Failure to do so may result in the Court considering Petitioners' Petition to Confirm Arbitration Award unopposed.

Petitioners are directed to serve this order on Respondent and file proof of service on the docket on or before December 15, 2021.

SO ORDERED.

Date: December 6, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge